

Exh. “A”

**Kerner, Justin**

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**From:** Kerner, Justin  
**Sent:** Monday, May 15, 2017 12:53 PM  
**To:** 'Daniel@erlegal.com'  
**Cc:** Risk, Jayne Anderson  
**Subject:** Susman, et al. v. Goodyear Tire & Rubber Company  
**Attachments:** TSC170417182160 LTR.PDF

Good afternoon Dan,

Please let us know whether you intend to move forward with the first action pending before Judge Slomsky, or whether you will voluntarily dismiss it. We request that you dismiss voluntarily. As we discussed, the subsistence certificate upon which your Remand Motion is premised was issued by the Pennsylvania Department of State in error. Please see the attached letter from the Department of State, recognizing that error.

Also, Judge Slomsky may schedule a status conference when (or if) briefing on your Remand Motion is complete.

Very truly yours,

**Justin Kerner**

Associate

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DLA Piper LLP (US)  
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1650 Market Street, Suite 4900  
Philadelphia, Pennsylvania 19103-7300  
United States  
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May 12, 2017

IN RE: GOODWEAR TIRE AND RUBBER COMPANY  
TSC170417182160-1

A Subsistence Certificate was issued by this office on April 17, 2017 under transaction number TSC170417182160-1 bearing the name GOODYEAR TIRE AND RUBBER COMPANY. This name was listed on the Certificate due to a typographical error in the Department of State's database. This error has since been corrected. The certificate should have listed the company name as GOODWEAR TIRE AND RUBBER COMPANY.

Exh. “B”

Court of Common Pleas of Philadelphia County  
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**MAY 2017****000306**

E-Filed Number: 1705002140

PLAINTIFF'S NAME RYSTA L. SUSMAN		DEFENDANT'S NAME THE GOODYEAR TIRE & RUBBER COMPANY	
PLAINTIFF'S ADDRESS 304 SHEPPARD AVENUE HILBRETH NE 68947		DEFENDANT'S ADDRESS 200 INNOVATION WAY AKRON OH 44316	
PLAINTIFF'S NAME RYSTA L. SUSMAN		DEFENDANT'S NAME THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS: GOODYEAR TIRE AND RUBBER COMPANY	
PLAINTIFF'S ADDRESS 304 SHEPPARD AVENUE HILBRETH NE 68947		DEFENDANT'S ADDRESS 200 INNOVATION WAY AKRON OH 44316	
PLAINTIFF'S NAME JACOB SUMMERS		DEFENDANT'S NAME THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS: GOODYEAR TIRE AND RUBBER COMPANY	
PLAINTIFF'S ADDRESS 823 S. MAIN WILBER NE 68465		DEFENDANT'S ADDRESS 200 INNOVATION WAY AKRON OH 44316	
TOTAL NUMBER OF PLAINTIFFS 3	TOTAL NUMBER OF DEFENDANTS 9	COMMENCEMENT OF ACTION <input type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input checked="" type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/T/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 2V - MOTOR VEHICLE ACCIDENT			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
		<b>FILED PROTHONOTARY</b> <b>MAY 01 2017</b> <b>M. BRYANT</b>	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>RYSTA L. SUSMAN, RYSTA T. SUSMAN, JACOB SUMMERS</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF/PETITIONER/APPELLANT'S ATTORNEY DANIEL J. SHERRY		ADDRESS EISENBERG ROTHWEILER WINKLER EISENBERG & JECK PC 1634 SPRUCE STREET PHILADELPHIA PA 19103	
PHONE NUMBER (215) 546-6636	TAX NUMBER (215) 546-0118	E-MAIL ADDRESS daniel@erlegal.com	
SUPREME COURT IDENTIFICATION NO. 201515		DATE SUBMITTED Monday, May 01, 2017, 02:51 pm	
SIGNATURE OF FILING ATTORNEY OR PARTY DANIEL SHERRY			

FINAL COPY (Approved by the Prothonotary Clerk)

**COMPLETE LIST OF DEFENDANTS:**

1. THE GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
2. THE GOODYEAR TIRE & RUBBER COMPANY  
ALIAS: GOODYEAR TIRE AND RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
3. THE GOODYEAR TIRE & RUBBER COMPANY  
ALIAS: GOODWEAR TIRE AND RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
4. GOODWEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
5. GOODWEAR TIRE & RUBBER COMPANY  
ALIAS: THE GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
6. GOODWEAR TIRE & RUBBER COMPANY  
ALIAS: GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
7. GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
8. GOODYEAR TIRE & RUBBER COMPANY  
ALIAS: THE GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
9. GOODYEAR TIRE & RUBBER COMPANY  
ALIAS: GOODWEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316



EISENBERG, ROTHWELLER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636

ATTORNEY FOR PLAINTIFFS

Filed and Accepted by the  
Office of Judicial Records  
On MAY 2017 02:51 pm  
J. BRYANT



RYSTA LEONA SUSMAN, both  
Individually and as Legal Guardian of  
SHANE ALLEN LOVELAND  
304 Sheppard Ave.  
Hildreth, NE 68947  
and  
JACOB SUMMERS  
823 S. Main  
Wilber, NE 68465

Plaintiffs

v.

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODYEAR TIRE AND  
RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

MAY TERM, 2017  
NO.

JURY TRIAL DEMANDED

GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a THE GOODYEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a GOODYEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODYEAR TIRE & RUBBER COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODYEAR TIRE & RUBBER COMPANY :  
d/b/a THE GOODYEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODYEAR TIRE & RUBBER COMPANY :  
d/b/a GOODWEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
Defendants :

**PRAECIPE TO ISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly issue the Writ of Summons in connection with the above-referenced matter.

**EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.**

BY: /s/ Daniel J. Sherry, Jr.  
DANIEL J. SHERRY, JR., ESQUIRE  
Attorney for Plaintiff

DATED: May 1, 2017



CP 97

Commonwealth of Pennsylvania  
CITY AND COUNTY OF PHILADELPHIA

SUMMONS  
CITATION

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

COURT OF COMMON PLEAS

Susman Etal Vs The Goodyear Tire & Rubber Co-VRSUM Term. 20<sup>17</sup>



17050030600003

VS.

THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

To<sup>(1)</sup>

See attached list for Defendants

You are notified that the Plaintiff<sup>(2)</sup>  
*Usted esta avisado que el demandante<sup>(2)</sup>*

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

Has (have) commenced an action against you.  
*Ha (han) iniciado una accion en contra suya.*



JOSEPH H. EVERS  
Prothonotary

By

Date

December 28, 2012



<sup>(1)</sup> Name(s) of Defendant(s)

<sup>(2)</sup> Name(s) of Plaintiff(s)

**LIST OF DEFENDANTS – WRIT OF SUMMONS**

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODYEAR TIRE AND  
RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
d/b/a THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
d/b/a GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
d/b/a THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
d/b/a GOODWEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

COURT OF COMMON PLEAS

May \_\_\_\_\_ Term, 20 17 No. \_\_\_\_\_

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

VS.

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

SUMMONS

Exh. “C”

Court of Common Pleas of Philadelphia County  
Trial Division

**Civil Cover Sheet**

PLAINTIFF'S NAME RYSTA LEONA. SUSMAN		DEFENDANT'S NAME GOODYEAR TIRE & RUBBER COMPANY	
PLAINTIFF'S ADDRESS 304 SHEPPARD AVENUE HILDRETH NE 68947		DEFENDANT'S ADDRESS 200 INNOVATION WAY AKRON OH 44316	
PLAINTIFF'S NAME SHANE ALLEN. LOVELAND		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS 304 SHEPPARD AVENUE HILDRETH NE 68947		DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME JACOB SUMMERS		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS 823 SOUTH MAIN STREET WILBER NE 68465		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 3	TOTAL NUMBER OF DEFENDANTS 1	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input checked="" type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 2P - PRODUCT LIABILITY			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES    NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>RYSTA LEONA SUSMAN, SHANE ALLEN LOVELAND, JACOB SUMMERS</u> Papers may be served at the address set forth below.		FILED PROTHONOTARY MAR 08 2017 M. BRYANT	
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY DANIEL J. SHERRY		ADDRESS EISENBERG ROTHWEILER WINKLER EISENBERG & JECK PC 1634 SPRUCE STREET PHILADELPHIA PA 19103	
PHONE NUMBER (215) 546-6636	FAX NUMBER (215) 546-0118	E-MAIL ADDRESS daniel@erlegal.com	
SUPREME COURT IDENTIFICATION NO. 201515		DATE SUBMITTED Wednesday, March 08, 2017, 11:34 am	
SIGNATURE OF FILING ATTORNEY OR PARTY DANIEL SHERRY			

FINAL COPY (Approved by the Prothonotary Clerk)

Exh. “D”



EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636

ATTORNEY FOR PLAINTIFFS



RYSTA LEONA SUSMAN, as Legal Guardian of :  
SHIANE ALLEN LOVELAND; :  
304 Sheppard Ave. :  
Hildreth, Nebraska 68947 :

and :

JACOB SUMMERS :  
823 S. Main :  
Wilber, Nebraska 68465 :

Plaintiffs :

v. :

GOODYEAR TIRE & RUBBER COMPANY :  
C/O CORPORATION SERVICE COMPANY :  
2595 Interstate Drive, Suite 103 :  
Harrisburg, Pennsylvania 17110 :

and :

THE GOODYEAR TIRE & RUBBER COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :

and :

THE GOODYEAR TIRE & RUBBER :  
COMPANY d/b/a GOODYEAR TIRE AND :  
RUBBER COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :

and :

THE GOODYEAR TIRE & RUBBER :

COURT OF COMMON PLEAS

PHILADELPHIA COUNTY

MAY TERM, 2017

NO. 0306

**JURY TRIAL DEMANDED**

COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
d/b/a THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY  
d/b/a GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
d/b/a THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY  
d/b/a GOODWEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, Ohio 44316

Defendants :

**Notice to Defend****NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**LAWYER REFERRAL SERVICE**  
One Reading Center  
1101 Market Street  
Philadelphia, Pennsylvania 19107  
(215) 238-6333

**AVISO**

Le han demandado a usted en la corte. Si, usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

"LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL. ESTA OFICINA PUEDE PROPORCIONARLE LA INFORMACION SOBRE CONTRATAR A UN ABOGADO. SI USTED NO TIENE DINERO SUFICIENTE PARA PAGAR A UN ABOGADO, ESTA OFICINA PUEDE PROPORCIONARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS QUE CUMPLEN LOS REQUISITOS PARA UN HONORARIO REDUCIDO O NINGUN HONORARIO."

**SERVICIO DE REFERENCIA LEGAL**  
One Reading Center  
1101 Market Street  
Philadelphia, Pennsylvania 19107  
Teléfono (215) 238-6333

**COMPLAINT**

Plaintiffs, Rysta Leona Susman, both Individually and as Personal Representative and Legal Guardian of Shane Allen Lovcland, and Jacob Summers, sucs Defendants, Goodyear Tire & Rubber Company, a Pennsylvania business corporation under the law of the Commonwealth



of Pennsylvania; Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; and The Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company.

**I.**  
**THE PARTIES**

1. This is an action against Defendants, Goodyear Tire & Rubber Company, a Pennsylvania business corporation under the law of the Commonwealth of Pennsylvania, Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; and The Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company in excess of fifty thousand dollars (\$50,000.00.00). This action was initiated on May 31, 2017 via a Writ of Summons.

2. At all times relevant hereto, Rysta Leona Susman was and is a resident of Franklin County, Nebraska. Rysta Leona Susman is the mother of Shane Allen Loveland and is the Court Appointed Guardian, as reflected in the Caption.

3. At all times relevant hereto, Shane Allen Loveland was a resident of Buffalo County, Nebraska at the time of the accident. He currently resides with his mother, Rysta Leona Susman.

4. At all times relevant hereto, Jacob Summers was a resident of Saline County, Nebraska at the time of the accident.

5. Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; and Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company is a domestic Pennsylvania business entity, that is actively registered with the Pennsylvania Department of State as a domestic Pennsylvania business entity, that regularly engages in the business of designing and manufacturing automotive tires. Goodyear Tire & Rubber Company submitted themselves to the jurisdiction and venue of this Court by regularly conducting business in Philadelphia County, Pennsylvania for which they receive significant revenue.

6. Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; and Goodwear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company is a domestic Pennsylvania business entity, that is actively registered with the Pennsylvania Department of State as a domestic Pennsylvania business entity, that regularly engages in the business of designing and manufacturing automotive tires. Goodwear Tire & Rubber Company submitted themselves to the jurisdiction and venue of this Court by regularly conducting business in Philadelphia County, Pennsylvania for which they receive significant revenue.

7. The Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; and The Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company is a foreign business entity, that is actively registered with the Pennsylvania Department of State, that regularly engages in the business of designing and manufacturing automotive tires. The Goodyear Tire & Rubber Company submitted themselves to the jurisdiction and venue of this Court by regularly conducting business in Philadelphia County, Pennsylvania for which they receive significant revenue.

8. Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company, Goodwear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a The Goodyear Tire and Rubber Company; Goodwear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company; The Goodyear Tire and Rubber Company d/b/a Goodyear Tire and Rubber Company; and The Goodyear Tire and Rubber Company d/b/a Goodwear Tire and Rubber Company are all ostensible agents of each other and/or were involved in a joint venture.

9. At all times material to the incident, and all material times leading up thereto, Goodyear was acting through their agents, servants and/or employees engaged in their business and acting within the scope of their employment.

## II. FACTUAL BACKGROUND

9. Plaintiffs hereby re-allege and incorporate by reference all preceding paragraphs as if set forth in full herein.



10. On or about May 1, 2015, Shane Loveland and Jacob Summers were passengers in a 2003 Chevrolet Silverado SC1 pickup truck when the vehicle's right rear tire suffered a tread separation. As a result of the tread separation, the vehicle operator was unable to maintain a straight line of travel and the Chevrolet Silverado left the roadway, crossed into the median and caused a rollover. During the incident, Shane Loveland sustained significant brain injuries among other injuries. Jacob Summers suffered significant orthopedic injuries.

11. At the time of this accident, the right rear tire on the vehicle was a Goodyear Wrangler IIT, LT235/85R16 Load Range "E" bearing DOT MDORNJHV0244 (hereinafter also referred to as the "accident tire" or "subject tire"). The tread of the accident tire separated from the carcass, leading directly to the loss of control of the Chevrolet Silverado SC1. The design, manufacture, and marketing of the accident tire by the defendants, individually, as ostensible agents and acting in joint venture with each other, was defective and unreasonably dangerous both from a consumer expectation standard as well as from a risk-utility standard.

**COUNT I**  
**NEGLIGENCE AGAINST ALL DEFENDANTS**

12. Plaintiffs incorporate by reference all of the above Paragraphs as if set forth fully herein.

13. At all relevant times, the defendants were in the business of designing, manufacturing and supplying tires for use on public roadways and held themselves out as having special expertise in that industry.

14. The Plaintiffs were foreseeable users of the vehicle with the defective tire manufactured and distributed by the defendants. Defendants had a duty not to design, manufacture or market a defective product.

15. The defective tire deviated from industry standards, was marketed without adequate testing and the probability that the tread would separate when used in the manner and for the purpose for which it was intended was known to defendants when the defective tire was manufactured and marketed. Accordingly, defendants breached their duty.

16. The negligence of defendants, as described above, directly and proximately caused Plaintiffs' catastrophic injuries, in that it or they directly and in natural and continuous sequence produced, contributed substantially or enhanced Plaintiffs' injuries.

17. The actions of defendants, as set forth above, constitute willful and wanton misconduct in disregard of the rights and safety of Plaintiffs, and warrant the imposition of punitive damages.

WHEREFORE, Plaintiffs demands judgment in their favor against defendants for damages in excess of \$50,000.00, for compensatory damages, for punitive damages and for costs, and such other relief this Court deems just and for trial by jury on all issues so triable as a matter of right.

**COUNT II**  
**STRICT LIABILITY**

18. Plaintiffs incorporate by reference all of the above Paragraphs as if set forth fully herein.

19. The subject tire was defectively designed, manufactured, and sold by the defendants pursuant to both a risk-utility standard as well as a consumer expectation standard.

20. The subject tire was defectively marketed by the defendants.

21. The subject tire was defective and unreasonably dangerous at the time it was designed, manufactured, marketed and distributed by the defendants. The defective tire came

apart while still within its expected tread life-use. The tire at issue failed during its useful tread life as a result of a separation of the tread and upper belt from the lower belt and carcass as a result of manufacturing and design defects, resulting in the subject accident.

22. Aside from foreseeable wear and aging, the subject tire was in the same defective condition at the time of the crash as it was when it left defendant's possession. The tire at issue was expected to and in fact reached its consumer market in the defective and unfit condition in which the tire was originally sold. The defective and unreasonably dangerous conditions of the tire were a producing and proximate cause of the incident made the basis of this suit and resulting damages.

23. Technologically and economically feasible safer alternative designs existed that would have remedied the defective condition of the subject tire and prevented or significantly reduced the risk of injury without substantially impairing the utility of the product pursuant to a risk-utility analysis. These safer alternative designs were economically and technologically feasible by the application of existing or reasonably achievable scientific knowledge. The safer alternative designs include, but are not limited to the following:

- (a) **The use of proper belt edge rubber strips or wedges or insulation or wraps;**
- (b) **The proper use of nylon or Kevlar belt reinforcements whether used in strips or caps or belts or full-belt-width plies;**
- (c) **Proper rubber antidegradants including a proper antioxidant package;**
- (d) **Proper innerliners with sufficient lapped splicing and sufficient rubber gauge and sufficient amounts of halobutyl rubber to guard against the permeation of air into the tire;**
- (e) **Other tire aging and separation countermeasures.**



24. Further, the subject tire was defective and unreasonably dangerous because it contained manufacturing defects.

25. Further, the subject tire was defective and unreasonably dangerous because it lacked adequate warnings to consumers and users about the dangers associated with tire aging irrespective of wear and use, including detreads.

26. The aforementioned defects were each proximate causes of the tires failure and resulting injuries of Plaintiffs.

27. The actions of the defendants, separately and as ostensible agents and acting in a joint venture with each other, as set forth above, constitute willful and wanton misconduct in disregard of the rights and safety of Plaintiffs, and warrant the imposition of punitive damages.

WHEREFORE, Plaintiffs demands judgment in their favor, against defendants for damages in excess of \$50,000.00, for compensatory damages, for punitive damages and for costs, and such other relief this Court deems just and for trial by jury on all issues so triable as a matter of right.

**COUNT III**  
**BREACH OF WARRANTY**

28. Plaintiffs incorporate by reference all of the above Paragraphs as if set forth fully herein.

29. At all relevant times the defendants were in the business of designing, manufacturing and supplying tires to the public.

30. The defendants committed a breach of the warranty of merchantability in that the defective tire was not fit for its ordinary use.

31. The Plaintiffs were persons who would foreseeably be damaged by the breach of warranty of merchantability by the defendants.

32. The breach of warranty of merchantability by the defendants resulted in injuries to Plaintiffs.

WHEREFORE, Plaintiff demands judgment in their favor, against the defendants for damages in excess of \$50,000.00, for compensatory damages, for punitive damages and for costs, and such other relief this Court deems just and for trial by jury on all issues so triable as a matter of right.

**Respectfully submitted,**

**EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.**

BY: \_\_\_\_\_

DANIEL J. SHERRY, JR., ESQUIRE  
Attorney for Plaintiff

**DATED: July 18, 2017**

**VERIFICATION**

Daniel J. Sherry, Jr., Esquire verifies that he is an associate of the law firm of Eisenberg, Rothweiler, Winkler, Eisenberg & Jeck, P.C., attorneys for the Plaintiff in the foregoing matter, and that he is authorized to sign this Verification on behalf of said Plaintiff. He has reviewed the facts set forth in the foregoing Complaint and the facts set forth therein are true and correct to the best of his knowledge, information and belief. These statements are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

**EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.**

BY: \_\_\_\_\_

DANIEL J. SHERRY, JR., ESQUIRE  
Attorney for Plaintiff

**Date: July 18, 2017**



Exh. “E”

EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636



ATTORNEY FOR PLAINTIFFS

RYSTA LEONA SUSMAN, both  
Individually and as Legal Guardian of  
SHANE ALLEN LOVELAND  
304 Sheppard Ave.  
Hildreth, NE 68947  
and  
JACOB SUMMERS  
823 S. Main  
Wilber, NE 68465

Plaintiffs

v.

THE GOODYEAR TIRE & RUBBER COMPANY:  
200 Innovation Way  
Akron, Ohio 44316  
and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODYEAR TIRE AND  
RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and

GOODWEAR TIRE & RUBBER COMPANY  
d/b/a THE GOODYEAR TIRE & RUBBER

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

MAY TERM, 2017  
NO. 0306

COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a GOODYEAR TIRE & RUBBER :  
COMPANY :  
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GOODYEAR TIRE & RUBBER COMPANY :  
d/b/a GOODWEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
Defendants :



**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly reissue the Summons in the above-captioned Civil Action for an additional thirty days so that service can be made on the Defendants.

EISENBERG, ROTHWEILER,  
WINKLER, EISENBERG & JECK, P.C.

BY: s/Daniel J. Sherry, Jr.  
DANIEL J. SHERRY JR., ESQUIRE  
Attorneys for Plaintiff

DATED: 5/31/17

Court of Common Pleas of Philadelphia County  
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**MAY 2017****000306**

E-Filing Number: 1705002140

PLAINTIFF'S NAME  
RYSTA L. SUSMANDEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANYPLAINTIFF'S ADDRESS  
304 SHEPPARD AVENUE  
HILBRETH NE 68947DEFENDANT'S ADDRESS  
200 INNOVATION WAY  
AKRON OH 44316PLAINTIFF'S NAME  
RYSTA L. SUSMANDEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS:  
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JACOB SUMMERSDEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS:  
GOODYEAR TIRE AND RUBBER COMPANYPLAINTIFF'S ADDRESS  
823 S. MAIN  
WILMER NE 68465DEFENDANT'S ADDRESS  
200 INNOVATION WAY  
AKRON OH 44316

TOTAL NUMBER OF PLAINTIFFS

3

TOTAL NUMBER OF DEFENDANTS

9

COMMENCEMENT OF ACTION

☐ Complaint☐ Petition Action☐ Notice of Appeal☒ Writ of Summons☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ \$50,000.00 or less☒ More than \$50,000.00

COURT PROGRAMS

☐ Arbitration☒ Jury☐ Non-Jury☐ Other:☐ Mass Tort☐ Savings Action☐ Petition☐ Commerce☐ Minor Court Appeal☐ Statutory Appeals☐ Settlement☐ Minors☐ W/D/Survival

CASE TYPE AND CODE

2V - MOTOR VEHICLE ACCIDENT

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

**FILED  
PRO PROTHY****MAY 01 2017****M. BRYANT**IS CASE SUBJECT TO  
COORDINATION ORDER?  
YES NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: RYSTA L. SUSMAN, RYSTA L. SUSMAN,  
JACOB SUMMERS

Papers may be served at the address set forth below.

NAME OF PLAINTIFFS/PETITIONER/APPELLANT'S ATTORNEY

DANIEL J. SHERRY

ADDRESS

EISENBERG ROTHWILER WINKLER  
EISENBERG & JACK PC  
1634 SPRUCE STREET  
PHILADELPHIA PA 19103

PHONE NUMBER

(215) 546-6636

FAX NUMBER

(215) 546-0118

SUPREME COURT IDENTIFICATION NO.

201515

E-MAIL ADDRESS

daniel@erlegal.com

SIGNATURE OF FILING ATTORNEY OR PARTY

DANIEL SHERRY

DATE SUBMITTED

Monday, May 01, 2017, 02:51 pm

Case ID: 170500306

**COMPLETE LIST OF DEFENDANTS:**

1. THE GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
AKRON OH 44316
2. THE GOODYEAR TIRE & RUBBER COMPANY  
ALIAS: GOODYEAR TIRE AND RUBBER COMPANY  
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200 INNOVATION WAY  
AKRON OH 44316



EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636

ATTORNEY FOR PLAINTIFFS

Filed and Indexed by the  
Office of Judicial Records  
07 MAY 2017 02:51 pm  
M. DEYANT



RYSTA LEONA SUSMAN, both  
Individually and as Legal Guardian of  
SHANE ALLEN LOVELAND  
304 Sheppard Ave.  
Hildreth, NE 68947  
and  
JACOB SUMMERS  
823 S. Main  
Wilber, NE 68465

Plaintiffs

v.

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODYEAR TIRE AND  
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THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
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and  
GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

MAY TERM, 2017  
NO.

**JURY TRIAL DEMANDED**



GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a THE GOODYEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
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GOODYEAR TIRE & RUBBER COMPANY :  
d/b/a GOODWEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
Defendants :

**PRAECIPE TO ISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly issue the Writ of Summons in connection with the above-referenced matter.

**EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.**

BY: /s/ Daniel J. Sherry, Jr.

DANIEL J. SHERRY, JR., ESQUIRE  
Attorney for Plaintiff

DATED: May 1, 2017

CP-57

Commonwealth of Pennsylvania  
CITY AND COUNTY OF PHILADELPHIA

SUMMONS  
CITACION

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

COURT OF COMMON PLEAS

Susman Etal Vs The Goodyear Tire & Rubber Co-WRSUM Term, 20 17



17050030600003

VS.

THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

To<sup>(1)</sup>

See attached list for Defendants

You are notified that the Plaintiff<sup>(2)</sup>  
*Usted esta avisado que el demandante<sup>(2)</sup>*

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

Has (have) commenced an action against you.  
*Ha (han) iniciado una accion en contra suya.*



JOSEPH H. EVERS  
Prothonotary

By

Date

December 28, 2012



<sup>(1)</sup> Name(s) of Defendant(s)

<sup>(2)</sup> Name(s) of Plaintiff(s)

**LIST OF DEFENDANTS – WRIT OF SUMMONS**

THE GOODYEAR TIRE & RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER

COMPANY d/b/a GOODYEAR TIRE AND

RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER

COMPANY d/b/a GOODWEAR TIRE

AND RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

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GOODWEAR TIRE & RUBBER COMPANY

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GOODWEAR TIRE & RUBBER COMPANY

d/b/a THE GOODYEAR TIRE & RUBBER

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GOODWEAR TIRE & RUBBER COMPANY

d/b/a GOODYEAR TIRE & RUBBER

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Akron, Ohio 44316

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GOODYEAR TIRE & RUBBER COMPANY

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Akron, Ohio 44316

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GOODYEAR TIRE & RUBBER COMPANY

d/b/a THE GOODYEAR TIRE & RUBBER

COMPANY

200 Innovation Way

Akron, Ohio 44316

and

GOODYEAR TIRE & RUBBER COMPANY

d/b/a GOODWEAR TIRE & RUBBER

COMPANY

200 Innovation Way

Akron, Ohio 44316

COURT OF COMMON PLEAS

May Term, 20 17 No.

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

vs.

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

SUMMONS



Exh. “F”

EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636



ATTORNEY FOR PLAINTIFFS

RYSTA LEONA SUSMAN, both  
Individually and as Legal Guardian of  
SHANE ALLEN LOVELAND  
304 Sheppard Ave.  
Hildreth, NE 68947  
and  
JACOB SUMMERS  
823 S. Main  
Wilber, NE 68465

Plaintiffs

v.

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200 Innovation Way  
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and  
THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODYEAR TIRE AND  
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THE GOODYEAR TIRE & RUBBER  
COMPANY d/b/a GOODWEAR TIRE  
AND RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and  
GOODWEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, Ohio 44316  
and

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

MAY TERM, 2017  
NO. 0306

GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a THE GOODYEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
and :  
GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a GOODYEAR TIRE & RUBBER :  
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GOODYEAR TIRE & RUBBER COMPANY :  
d/b/a GOODWEAR TIRE & RUBBER :  
COMPANY :  
200 Innovation Way :  
Akron, Ohio 44316 :  
Defendants :

**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly reissue the Summons in the above-captioned Civil Action for an additional thirty  
(30) days so that service can be made on the Defendants.

EISENBERG, ROTHWELLER,  
WINKLER, EISENBERG & JECK, P.C.

BY: s/Daniel J. Sherry, Jr.  
DANIEL J. SHERRY JR., ESQUIRE  
Attorneys for Plaintiff

DATED: 6/29/17

Court of Common Pleas of Philadelphia County  
Trial Division  
**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**MAY 2017****000306**

E-Filed Number: 1705002140

PLAINTIFF'S NAME  
RYSTA L. SUSMAN

DEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANY

PLAINTIFF'S ADDRESS  
304 SHEPPARD AVENUE  
HILBRETH NE 68947

DEFENDANT'S ADDRESS  
200 INNOVATION WAY  
AKRON OH 44316

Filed and Attested by the  
Office of Judicial Records  
29 JUN 2017 04:22 pm  
C-20077

PLAINTIFF'S NAME  
RYSTA L. SUSMAN

DEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS:  
GOODYEAR TIRE AND RUBBER COMPANY

PLAINTIFF'S ADDRESS  
304 SHEPPARD AVENUE  
HILBRETH NE 68947

DEFENDANT'S ADDRESS  
200 INNOVATION WAY  
AKRON OH 44316

PLAINTIFF'S NAME  
JACOB SUMMERS

DEFENDANT'S NAME  
THE GOODYEAR TIRE & RUBBER COMPANY, ALIAS:  
GOODYEAR TIRE AND RUBBER COMPANY

PLAINTIFF'S ADDRESS  
823 S. MAIN  
WILMER NE 68465

DEFENDANT'S ADDRESS  
200 INNOVATION WAY  
AKRON OH 44316

TOTAL NUMBER OF PLAINTIFFS

3

TOTAL NUMBER OF DEFENDANTS

9

COMMENCEMENT OF ACTION

☐ Complaint☐ Petition Action☐ Notice of Appeal☒ Writ of Summons☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ \$50,000.00 or less☒ More than \$50,000.00

COURT PROGRAMS

☐ Arbitration☒ Jury☐ Non-Jury☐ Other:☐ Mass Tort☐ Savings Action☐ Petition☐ Commerce☐ Minor Court Appeal☐ Statutory Appeals☐ Settlement☐ Minors☐ W/D/Survival

CASE TYPE AND CODE

2V - MOTOR VEHICLE ACCIDENT

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

**FILED  
PROPROTHY****MAY 01 2017****M. BRYANT**

IS CASE SUBJECT TO  
COORDINATION ORDER?  
YES NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: RYSTA L. SUSMAN, RYSTA L. SUSMAN,  
JACOB SUMMERS

Papers may be served at the address set forth below.

NAME OF PLAINTIFF/PETITIONER/APPELLANT'S ATTORNEY

DANIEL J. SHERRY

ADDRESS

EISENBERG ROTHWILLER WINKLER  
EISENBERG & JACK PC  
1634 SPRUCE STREET  
PHILADELPHIA PA 19103

PHONE NUMBER

(215) 546-6636

FAX NUMBER

(215) 546-0118

SUPREME COURT IDENTIFICATION NO.

201515

E-MAIL ADDRESS

daniel@erlegal.com

SIGNATURE OF FILING ATTORNEY OR PARTY

DANIEL SHERRY

DATE SUBMITTED

Monday, May 01, 2017, 02:51 pm

Case ID: 170500306



**COMPLETE LIST OF DEFENDANTS:**

1. THE GOODYEAR TIRE & RUBBER COMPANY  
200 INNOVATION WAY  
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AKRON OH 44316

EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.  
BY: DANIEL J. SHERRY, JR., ESQUIRE  
ATTORNEY I.D. No. 201515  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636

ATTORNEY FOR PLAINTIFFS

Filed and Entered by the  
Office of Judicial Records  
07 MAY 2017 02:51 pm  
W. BRYANT



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Individually and as Legal Guardian of  
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Plaintiffs

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COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

MAY TERM, 2017  
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JURY TRIAL DEMANDED

GOODWEAR TIRE & RUBBER COMPANY :  
d/b/a THE GOODYEAR TIRE & RUBBER :  
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Defendants :

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**EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK, P.C.**

BY: /s/ Daniel J. Sherry, Jr.  
DANIEL J. SHERRY, JR., ESQUIRE  
Attorney for Plaintiff

DATED: May 1, 2017

C.P.S.

Commonwealth of Pennsylvania  
CITY AND COUNTY OF PHILADELPHIA

SUMMONS  
CITACION

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
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vs.

THE GOODYEAR TIRE & RUBBER  
COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

To:<sup>(1)</sup>

See attached list for Defendants

COURT OF COMMON PLEAS

Susman Files vs The Goodyear Tire & Rubber Co-VRSUM Term, 20 17



17050030600003

You are notified that the Plaintiff<sup>(2)</sup>  
*Usted esta avisado que el demandante<sup>(2)</sup>*

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

Has (have) commenced an action against you.  
*Ha (han) iniciado una accion en contra suya.*



JOSEPH H. EVERS  
Prothonotary

By

Date

December 28, 2012



<sup>(1)</sup> Name(s) of Defendant(s)

<sup>(2)</sup> Name(s) of Plaintiff(s)



**LIST OF DEFENDANTS – WRIT OF SUMMONS**

THE GOODYEAR TIRE & RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER

COMPANY d/b/a GOODYEAR TIRE AND

RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

THE GOODYEAR TIRE & RUBBER

COMPANY d/b/a GOODWEAR TIRE

AND RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY

200 Innovation Way

Akron, Ohio 44316

and

GOODWEAR TIRE & RUBBER COMPANY

d/b/a THE GOODYEAR TIRE & RUBBER

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d/b/a THE GOODYEAR TIRE & RUBBER

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d/b/a GOODWEAR TIRE & RUBBER

COMPANY

200 Innovation Way

Akron, Ohio 44316

COURT OF COMMON PLEAS

May \_\_\_\_\_ Term, 20 17 No. \_\_\_\_\_

RYSTA LEONA SUSMAN, both  
Individually and as legal Guardian  
of SHANE ALLEN LOVELAND  
304 Sheppard Avenue  
Hildreth, NE 68947, et al.

vs.

THE GOODYEAR TIRE & RUBBER COMPANY  
200 Innovation Way  
Akron, OH 44316, et al.

SUMMONS